

Exhibit D



EMPLOYEE WARNING NOTICE

Employee Information

Date: 10-6-08 Department: Operating
 Employee's Name: Ricky Paine Social Security #: REDACTED
 Hire Date: 3-9-05 Position: Carrier

Type of Warning

☐ Verbal Warning ☒ Written Warning ☐ 2nd Written Warning ☐ Final Warning

Type of Violation

| | | |
|---|--|--|
| <input type="checkbox"/> Fairness | <input type="checkbox"/> Quality of Work | <input checked="" type="checkbox"/> Carelessness |
| <input type="checkbox"/> Absenteeism | <input type="checkbox"/> Quantity of Work | <input checked="" type="checkbox"/> Safety |
| <input type="checkbox"/> Insubordination | <input type="checkbox"/> Neatness / Grooming | <input type="checkbox"/> Drug Policy Violation |
| <input type="checkbox"/> Intoxication or Drinking | <input type="checkbox"/> Other | |

Was there a witness to the violation? ☐ Yes ☒ No Witness Name: _____

Violation Date: 10-5-08 Time Occurred: 10:00 AM Place of Violation: Car Shop

| Company Statement | Warning Statement |
|---|---|
| 1. Describe in detail what the employee has done. | 1. Explain in detail the steps that must be taken to improve performance. |
| 2. Cite how this interferes with the work environment, employee performance, business operations, or the well being of other employees. | 2. Cite date by which improvements must be in place. |
| 3. Cite the rule, policy, law, standard, or regulation that was violated. | 3. Cite consequences if goals or improvements are NOT achieved by date specified. |

Company Statement: (What did the employee do)

Employee was getting fork lift out of warehouse to close door on box cars. Employee wasn't certified to operate forklift by WATCO. When backing out of warehouse he raised the forks to high and hit the door causing damage to door.

Warning Notice: (What must the employee do to improve performance)

Stay off of machinery =

When (what date) must the employee have the improvements in place: 10-6-08

What are the consequences if improvements are NOT made: Further discipline per L1 & L4 policy

Employee Comments:

Supervisor's signature: [Signature] Date: 10-6-08

Employee's signature: [Signature] Date: 10-6-08

Your signature above does not indicate that you agree with what has been written only that you have read the above warning.